IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.979 OF 2006
IN
CRIMINAL APPEAL NO.588 OF 2006

Shivram Ganpat Kudale ...Applicant

vs.

State of Maharashtra ...Respondent

Mr.V.B.Tapkir for the Applicant
Mr.S.V.More, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : NOVEMBER 9,2006.

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. The Appeal against order of conviction for offence punishable under section 304 (II) of the Indian Penal Code has been admitted. The substantive sentence is R.I. for five years. The Advocate for the Applicant states that the fine amount has been deposited. The Applicant is in custody from 3rd August 2004 i.e. for a period of two years and three months. Thus, the Applicant has already undergone nearly half of the substantive sentence.

2. The Appeal is not likely to be heard before the remaining period of sentence is over. Considering the facts and circumstances of the case, the Applicant is entitled to be enlarged on bail subject to stringent conditions.

3. Hence, the Application is disposed of by passing the following order :

i) The Applicant shall be enlarged on bail in the sum of Rs.10,000/- (ten thousand only) with one or two local sureties in the like amount.

ii) Bail is granted subject to further condition that the Applicant will report to Vadgaon-Mawal Police Station, District Pune on first Saturday of every calendar month till the disposal of the Appeal.

JUDGE